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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/530,409

08/02/2005

Anders Mollstam

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08/19/2008

NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

EXAMINER

SAVUSDIPHOL, PAULTEP

ART UNIT

PAPER NUMBER

2876

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,409	<b>Applicant(s)</b> MOLLSTAM, ANDERS	
	<b>Examiner</b> PAULTEP SAVUSDIPHOL	<b>Art Unit</b> 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/7/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/07/2005 &amp; 08/23/2005</u> .                             | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

Receipt is acknowledged of the amendment, filed on 4/7/2005, which has been entered in the file. Claims 1-7 have been presented for examination.

#### ***Priority***

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Information Disclosure Statement***

Receipt is acknowledged of the information disclosure statement (IDS) filed on 4/7/2005 and 8/23/2005.

#### ***Claim Objections***

**Claims 1, 2 & 7** are objected to because of the following informalities, which appear to be minor draft errors including grammatical and/or lack of antecedent basis problems.

Regarding **claim 1, line2, claim 2, line 5 and claim 7, line 4**: the phrase "for example" or "i.e." or "e.g." renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. **Claims 1-7** are rejected under 35 U.S.C. 102(b) as being anticipated by **Sasse et al. (US 2001/0020148 A1)**.

Regarding **claim 1**, **Sasse** discloses a medical-technical identification device for identifying a sterile product [0003] (4, 62, 72, 82) when connected to a piece of medical equipment **2** (1, 60, 70, 80), and in that the sterile product (4, 62, 72, 82) includes a fixedly mounted information carrier **40, 41 42** (9, 63, 73, 83) which is adapted to deliver or to offer specific product information in a contactless fashion to a reading element **43, 44, 45** (12, 64, 74, 84) connected to the equipment (1, 60, 70, 80), and that the reading element (12) is connected to a registering unit (13) which, in turn, is connected to both a storage unit (14) and an analysing unit (15), characterised in that the product is a sterile elastic hose part [0003] (4) or a sterile saw blade (62) or a sterile drill bit (72) or a sterile shaver blade (82) and that the analysing unit (15) functions to deliver signals to an equipment-actuating control unit and in that the device includes a presentation unit (16) which functions to present information from both the analysing unit (15) and the storage unit (14) and in that a programming unit is connected to one of said units [0004, 0013, 0029-0031].

Regarding **claim 2**, **Sasse** discloses an identification device according to claim 1, characterised in that the information carrier **40, 41 42** (Fig. 1) (9) is mounted in or on one side of a holder (8) and in that the reading element **43, 44, 45** (Fig. 1) (12) is mounted in or on one side of a fixation seat (7), wherein the exchange of information between the information carrier (9) and the reading element (12) does not take place until the holder is in place in the seat (7) [0029-0031].

Regarding **claim 3**, **Sasse** discloses an identification device according to claim 2, characterised in that the information carrier (9) and the reading element (12) are adapted to take fixed positions relative to one another when the hose part (4) is connected actively to said equipment [0029-0031].

Regarding **claim 4**, **Sasse** discloses an identification device according to claim 3, characterised in that the holder (8) of the information carrier (9) includes a planar slide surface (10) which is angled such that the normal to said surface will not extend parallel with the symmetry axis of said hose part (4) and in that said slide surface conforms to or fits with a correspondingly directed slide surface (11) in the seat (7) [0029-0031 & Fig. 1].

Regarding **claim 5**, **Sasse** discloses an identification device according to claim 4, characterised in that both slide surfaces (10, 11) are directed so that an applied force intended to press the surfaces (10, 11) together will cause the information carrier (9) and the reading element (12) to be aligned mutually in the direction of an X-axis and Y-axis [0023-0024 & 0029-0031 & Figs. 1 & 2].

Regarding **claim 6**, **Sasse** discloses an identification device according to claim 5, characterised in that both slide surfaces (10, 11) are directed so that the information carrier (9) and the reading element (12) will also be mutually aligned in the direction of an Z-axis [0023-0024 & 0029-0031 & Figs. 1 & 2].

Regarding **claim 7**, **Sasse** discloses an identification device according to claim 1, characterised in that the transmission of information between the information carrier (9) and the reading element (12) is caused to take place with the aid of one or more of the following devices: bar codes, Blue Tooth, radio waves, light waves [0029].

### ***Conclusion***

No claims are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAULTEP SAVUSDIPHOL whose telephone number is (571)270-1301. The examiner can normally be reached on M-F, 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2876

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PS/

/Paultep Savusdiphol/  
Patent Examiner  
AU 2876

/Michael G Lee/

Supervisory Patent Examiner, Art Unit 2876